

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS**

IN RE: CESSNA 208 SERIES AIRCRAFT)	
PRODUCTS LIABILITY LITIGATION)	MDL No: 1721
)	
)	Case No: 05-md-1721-KHV
(This Document Relates To All Cases))	
_____)	

ORDER

This matter concerns several air disasters involving the Cessna 208 Series aircraft. Plaintiffs filed suit against Cessna Aircraft Company and Goodrich Corporation seeking damages for personal injuries and wrongful death. The Judicial Panel on Multidistrict Litigation (“MDL Panel”) later transferred the various actions to this Court for consolidated pretrial proceedings. This matter is before the Court on MDL Plaintiffs’ Motion In Limine To Exclude Testimony Of Edward W. Holmes (Doc. #729) filed January 30, 2009.

Plaintiffs argue that the Court should exclude opinion testimony of Edward R. Holmes because his expert report addresses one specific airplane crash in Parks, Arizona, not “common MDL issues.” MDL Plaintiffs’ Memorandum In Support Of Their Motion In Limine To Exclude The Expert Testimony Of Edward W. Holmes (Doc. #729) filed January 30, 2009 at 2. In response, Cessna notes that it has offered the expert report of Mr. Holmes to rebut the expert report and testimony of Ronald Stearman, one of plaintiffs’ experts on common MDL issues. The Discovery Order in this case specifically required Cessna to designate common issue experts who would offer testimony “in response to plaintiffs’ experts.” Stipulated Order On Disclosure And Discovery Of Expert Witnesses In The MDL Proceedings (Doc. #243). Plaintiffs have not filed a reply in support of their motion and Cessna’s argument is well taken.

IT IS THEREFORE ORDERED that MDL Plaintiffs' Motion *In Limine* To Exclude Testimony Of Edward W. Holmes (Doc. #729) filed January 30, 2009 be and hereby is **OVERRULED**.

Dated this 30th day of April, 2009 at Kansas City, Kansas.

s/ Kathryn H. Vratil
KATHRYN H. VRATIL
United States District Judge